



LG&E Energy Corp.  
220 West Main Street  
P.O. Box 32030  
Louisville, Kentucky 40232  
(502) 627-3450  
(502) 627-3367 FAX

March 10, 2004

Mr. Thomas Dorman  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602

**RECEIVED**

MAR 10 2004

PUBLIC SERVICE  
COMMISSION

*Re: Case No. 2004-00043, Amendment to Application*

Dear Mr. Dorman:

Enclosed are an original and 10 copies of an Amendment to the Application filed on February 10, 2004 by Louisville Gas and Electric Company ("LG&E"), in the above-referenced proceeding. The Amendment pertains to LG&E's electric franchise agreement with the City of West Point, Kentucky. Please direct any questions to the undersigned at (502) 627-2557.

I thank you for your assistance in this matter.

Very truly yours,

Linda S. Portasik  
Senior Corporate Attorney

LSP/ts  
Enclosures

**BEFORE THE  
KENTUCKY PUBLIC SERVICE COMMISSION**

**RECEIVED**

MAR 10 2004

**PUBLIC SERVICE  
COMMISSION**

**In the Matter of:**

**AMENDMENT TO APPLICATION OF LOUISVILLE )  
GAS AND ELECTRIC COMPANY FOR A )  
CERTIFICATE OF CONVENIENCE AND ) CASE NO. 2004-00043  
NECESSITY RELATING TO A FRANCHISE )  
FROM THE CITY OF WEST POINT, KENTUCKY )**

**AMENDMENT TO APPLICATION**

The Applicant, Louisville Gas and Electric Company, respectfully submits this amendment to its application as filed on February 10, 2004, by stating as follows:

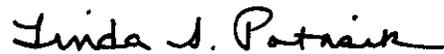
Applicant acknowledges that it failed, through inadvertence and oversight, to comply with 807 KAR 5:001, Section 9 in failing to secure receipt of a Certificate of Convenience and Necessity ("CCN") from this Commission prior to bidding on the franchise proffered by the City of West Point, and thereafter executing a franchise agreement with the City. Applicant further acknowledges that as a result of such failure, the Commission has jurisdiction to institute a show cause proceeding. In an attempt to resolve this matter at a minimum cost to the Applicant, its ratepayers, and the Commonwealth in legal and related fees and expenses, Applicant proposes that a civil penalty of no more than \$500.00 be imposed by the Commission on Applicant.

Applicant respectfully requests, however, that payment of the penalty be suspended. Applicant's compliance record with all CCN regulatory requirements to date is unblemished. In light thereof, Applicant requests that payment of any penalty imposed be suspended for a reasonable period of time. If there are no similar violations during the period of suspension, then penalty should be waived.

WHEREFORE, Applicant respectfully requests that the Commission issue an order granting Applicant a Certificate of Convenience and Necessity authorizing Applicant's prior bid on the City's franchise and authorizing Applicant to effectuate its new franchise agreement with the City. A copy of the franchise agreement was filed previously with the Commission.

Dated at Louisville, Kentucky, this 10<sup>th</sup> day of March, 2004.

Respectfully submitted,



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Linda S. Portasik  
Counsel for Louisville Gas and Electric  
Company  
220 West Main Street  
Louisville, Kentucky 40202  
(502) 627-2557